

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DERRICK BEENER, X0501971, Plaintiff,	:	PRISONER CIVIL RIGHTS
	:	42 U.S.C. § 1983
	:	
	:	
v.	:	CIVIL ACTION NO.
	:	1:16-CV-46-TWT-CMS
JEFFREY MANN et al.,	:	
Defendants.	:	

FINAL REPORT AND RECOMMENDATION

Early this year, DeKalb County Jail pre-trial detainee Derrick Beener filed a Civil Rights Complaint Pursuant to 42 U.S.C. § 1983 [1], an Affidavit in Support of Request to Proceed *In Forma Pauperis* (“IFP”) [2], a Motion for Appointment of Counsel [3], and a Motion for Temporary Waiver [4].

In light of the extraordinary nature of Mr. Beener’s allegations, the undersigned contacted John Fleming, a member of the Bar of this Court who is listed in the Clerk’s database of attorneys who have expressed an interest in providing *pro bono* legal assistance. Following a series of inquiries, Mr. Fleming stated on April 21, 2016, that his associate, Danny Wells, had met with Mr. Beener, obtained a limited representation letter, begun an investigation, and would be meeting again soon with Mr. Beener.

It now appears, however, that Mr. Beener was released from the DeKalb County Jail on April 25, 2016, *see* <http://inmatelookup.co.dekalb.ga.us:8081/inmatelookup> (last viewed May 2, 2016; searched for “Beener”), and there is no indication that he has been transferred to the custody of the Georgia Department of Corrections, *see* <http://www.dcor.state.ga.us/GDC/OffenderQuery/jsp/OffQryForm.jsp> (last viewed May 2, 2016; searched for “Beener”).

Because Mr. Beener has not fulfilled his obligation under the Local Rules to notify the Court promptly of any change of address, the management of this case has been adversely affected.

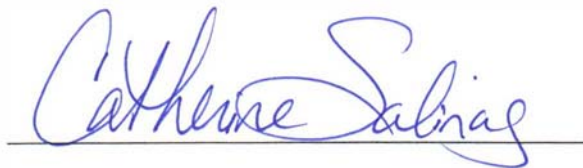
Accordingly, the undersigned **RECOMMENDS** that this case be **DISMISSED WITHOUT PREJUDICE**. *See* LR 41.2B, NDGa.

The undersigned further **RECOMMENDS** that Mr. Beener’s motions be **DENIED AS MOOT**.

If, in the future, Mr. Beener wishes to refile his lawsuit, either *pro se* or with the assistance of Messrs. Fleming and Wells or other attorneys, he may do so.

The Clerk is **DIRECTED** to terminate the referral of this case to the undersigned.

SO RECOMMENDED AND DIRECTED, this 11th day of May,
2016.

A handwritten signature in blue ink, reading "Catherine Salinas", is written over a horizontal line.

CATHERINE M. SALINAS
UNITED STATES MAGISTRATE JUDGE